

Purpose

To clarify the Department's position on the employment of relatives in the Department.

Policy

Relatives of employees in supervisory or management positions should not be employed in any area under the manager's direction. In addition, no Department employee may employ, supervise, appoint, recommend the appointment, or make salary or performance recommendations of a relative to any position in the Department of Transportation.

Relatives may not report to the same immediate supervisor.

When marriage causes a violation of the above restrictions, a transfer may be made to another area.

Exceptions to the above may be as follows:

New Hires

1. The applicant is eligible or qualified to be employed by the Department as a result of his/her compliance with civil service laws or regulations or merit system laws or regulations and
2. The applicant is the only person available, qualified or eligible for the position.

If an exception is requested on the basis of the above, compliance with the following must occur.

1. A request for an exception must be sent to the Human Resources Office for review. The Human Resources Office will forward the request to the Executive Director or designee for approval, with their recommendation.
2. A complete written disclosure of the relationship must be included in the request and will be placed on the employee's personnel file, if the exception is approved.
3. The employee who exercises authority over a relative may not evaluate the relative's job performance or recommend a salary increase for the relative.

Promotions/Transfers

The applicant is eligible or qualified to be promoted/transferred by the Department as a result of his/her compliance with civil service laws or regulations or merit system laws or regulations.

If an exception is requested on the basis of the above, all of the following must be complied

with:

1. The member of the Quality Improvement Council or designee above the hiring official may make an exception with concurrence from the Human Resources Office only if there is no violation to state law.
2. A complete written disclosure of the relationship must be included in the request and will be placed in the employee's personnel file, if the exception is approved.
3. The employee who exercises authority over a relative may not evaluate the relative's job performance or recommend a salary increase for the relative.

Background

This policy is in compliance with state law, Utah Code 52-3-1 and DHRM rules. It is the responsibility of the hiring official to insure that there is no violation of this policy. This policy does not intend to realign current reporting relationships. As managers make appropriate human resource moves, they should follow the guidelines of this policy.

Definitions

Relatives will be defined for this policy as: wife, husband, child, daughter-in-law, son-in-law, parent, grandchild, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparent, brother, sister, uncle, aunt, nephew, niece, first cousin, or cohabitating employees.